

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 1265 of 1994

with

CIVIL REVISION APPLICATION No 200 of 1995

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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HAZIRA AREA DEVELOPMENT AUTHORITY

Versus

LARSEN & TOUBRO LTD

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Appearance:

MS MAYA DESAI for Petitioner

MR SN THAKKER for Respondents

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 10/12/98

ORAL JUDGEMENT

Having heard the learned counsel for the parties and the fact that the learned first appellate court has vacated the interim relief granted by the trial court coupled with the fact that this Court has not protected the petitioner, nothing substantial now survives in these civil revision applications.

However, it is made clear that if ultimately the plaintiff-petitioner succeeds in the suit then the defendants-respondents shall demolish whatever construction put by them which is objected by the petitioner by filing of the suit. It is further made clear that this may not be taken to be final and the appellate court if necessity arises shall consider the matter of grant of temporary injunction independently of the observations made herein after considering the matter on merits if ultimately suit is decided against the respondent and appeal is filed by it.

Subject to the aforesaid observations, these civil revision applications are dismissed. Rule discharged.

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